

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	Sara M. Keenan Debtor	Case No.: 20-14061-amc
	Rushmore Loan Management Services, LLC as Servicer for U.S. Bank Trust National Association, as Trustee of the LB-Cabana Series IV Trust Movant	Chapter: 13
	v.	Judge: Ashely M. Chan
	Sara M. Keenan Scott F. Waterman - Trustee Respondents	Hearing Date: March 9, 2022 at 10:00 am

OBJECTION TO CONFIRMATION OF PLAN

PLEASE TAKE NOTICE that Rushmore Loan Management Services, LLC as Servicer for U.S. Bank Trust National Association, as Trustee of the LB-Cabana Series IV Trust (“Secured Creditor”), the holder of a mortgage on real property of the Debtor’s, located at 8716 Macon Street, Philadelphia, PA 19152, by and through its undersigned attorneys, hereby objects to the confirmation of the Chapter 13 Plan on grounds including:

1. Debtor’s Plan fails to provide for the arrears claim of Secured Creditor. The objecting creditor is due arrears of \$13,021.66 pursuant to Claim 5-2 filed on December 10, 2020.
2. Debtor’s plan fails to correctly provide for the regular monthly mortgage payments owed to the Secured Creditor. The objecting creditor is due payments in the amount of \$1,080.43 monthly.
3. Debtor’s plan as proposed appears to contemplate that there will be no cure for the prepetition arrears of Secured Creditor unless or until a loan refinance is achieved. The Debtor is obligated to cure the arrears due to the objecting creditor within a reasonable time pursuant to 11 U.S.C. 1322(b)(5). Accordingly, in the event that the refinance efforts are not successful, the plan fails to satisfy the confirmation requirements of 11 U.S.C.

1325(a)(1). As Debtor's plan is dependent on the approval of a loan refinance confirmation must be denied.

In the event any portion of the claim is deemed to be an unsecured claim as defined by the Code, objection is hereby made pursuant to 11 U.S.C. 1325(a)(4) and 1325(b), *et seq.* unless the plan provides for full payment of the claim.

Dated: March 7, 2022

FRIEDMAN VARTOLO, LLP.

By: /s/ Lauren M. Moyer
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